

No.

E-FILING

2009R 01588

CR11 00520

UNITED STATES DISTRICT COURT

FILED

LHK

NORTHERN DISTRICT OF CALIFORNIA

2011 AUG -3 P 3:54

SAN JOSE DIVISION

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CA. SAN JOSE

PSG

THE UNITED STATES OF AMERICA

vs.

PETER ALERED-ADEKEYE

INDICTMENT

COUNTS ONE THROUGH FIVE: Title18, United States Code, Sections1030(a)(2)(C) & 1030(c)(2)(B)(iii)- Intentionally Accessing A Protected Computer Without Authorization And Obtaining Information Exceeding a Value of \$5,000.

A true bill.

Mary Elizabeth Sladek

Foreperson

Filed in open court this 3rd day of August

A.D. 2011

P.S. [Signature]
UNITED STATES MAGISTRATE JUDGE

Bail. \$ Np bail arrest warrant.

MELINDA HAAG (CABN 132612)
United States Attorney

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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
N.D. CA-SAN JOSE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

CR11 00520

LHK

UNITED STATES OF AMERICA,

No.

Plaintiff,

VIOLATIONS: 18 U.S.C. §§ 1030(a)(2)(C)
and (c)(2)(B)(iii)-Intentionally Accessing a
Protected Computer Without Authorization
and Obtaining Information Exceeding a
Value of \$5,000

v.

PETER ALFRED-ADEKEYE,

Defendant.

SAN JOSE VENUE

INDICTMENT

The Grand Jury charges:

Introductory Allegations

At all times relevant to this Indictment:

1. Cisco Systems, Inc. (Cisco), was an American multinational corporation that designed and sold consumer electronics, computer networking, and communication technology and services, with headquarters in San Jose, California. Cisco's computer equipment was used in interstate and foreign commerce and communications.

2. Cisco maintained a secure computer network with restricted access and stringent policies and protocols to protect its technology and proprietary information. Cisco's website,

1 www.ciso.com, acted as a gateway to both publicly available information and to Cisco
2 proprietary information, data, and software. Cisco employees were assigned log-in credentials
3 including unique user identifications and confidential passwords that controlled their right to
4 access restricted web pages at cisco.com

5 3. Peter Alfred-Adekeye (ADEKEYE) was a citizen of Nigeria and the United
6 Kingdom, and was employed at Cisco as an Technical Assistance Center (TAC) engineer until
7 May 6, 2005.

8 4. On March 2, 2005, while employed at Cisco, ADEKEYE founded and
9 incorporated Multiven, Inc. (Multiven), in Delaware. ADEKEYE thereafter established
10 Multiven's offices in Palo Alto, California, and purported to provide hardware and software
11 service and maintenance work for computer router and networking systems, including those
12 manufactured and sold by Cisco. ADEKEYE was the Chief Executive Officer (CEO) of
13 Multiven.

14 5. In or about August 2005, an employee at Cisco provided his Cisco log-in
15 credentials, including his unique user identification and password to ADEKEYE, for a specific
16 use, that is, to recommend Multiven be accorded status as a Cisco preferred partner.

17 6. Between September 2005 and July 2007, ADEKEYE, and other employees of
18 Multiven at ADEKEYE's direction, accessed confidential information and data belonging to
19 Cisco by using the Cisco employee's credentials to log-in through the cisco.com gateway, in
20 excess of the specific use granted by the Cisco employee.

21
22 COUNTS ONE THROUGH FIVE: (18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(iii) -
23 Intentionally Accessing A Protected Computer Without
24 Authorization And Obtaining Information Exceeding a
Value of \$5,000)

25 6. The factual allegations in paragraphs 1 through 6 are re-alleged and incorporated
26 herein as if set forth in full.

27 7. On or about the dates set forth below, in the Northern District of California,

28 PETER ALFRED-ADEKEYE

accessed a protected computer without authorization and with an intent to defraud, to wit: the proprietary network of Cisco, and thereby obtained information from said protected computer that exceeds \$5,000 in value, on the dates and times as set forth in the separate counts below:

Count	IP Address	Date	Time of Unauthorized Access and Item Downloaded
1	69.181.72.170	12-Dec-2006	08:43:58 (PST) Downloaded: Cisco IOS Version 12.4.12
2	69.181.72.170	12-Dec-2006	08:48:15 (PST) Downloaded: Cisco IOS Version 12.4.3a
3	69.181.72.170	12-Dec-2006	08:54:38 (PST) Downloaded: Cisco IOS Version 12.4.9T
4	69.181.72.170	12-Dec-2006	08:56:59 (PST) Downloaded: Cisco IOS Version 12.4.9T2
5	67.161.47.113	17-Aug-2006	15:27:12 (PST) Downloaded: Cisco IOS Version 12.0.32S3

All in violation of 18 U.S.C. §§ 1030(a)(2)(C) and (c)(2)(B)(iii).

DATED:

A TRUE BILL

FOREPERSON

MELINDA HAAG
United States Attorney

MATTHEW A. PARRELLA
Chief, Computer Hacking and Intellectual Property Unit

(Approved as to form:

AUSA RICHARD CHENG

Mary Elizabeth Sladek
mes
4/3/2011

AO 257 (Rev. 6/78)

FILING

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT

 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING

OFFENSE CHARGED

 COUNTS ONE THROUGH FIVE: (18 U.S.C.
 §§ 1030(a)(2)(C) and (c)(2)(B)(iii)

 -Intentionally Accessing A Protected Computer
 Without Authorization And Obtaining

Information Exceeding a Value of \$5,000

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY:

5 years imprisonment

\$250,000 fine

3 years supervised release

\$100.00 special assessment

PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

US Secret Service

☐ person is awaiting trial in another Federal or State
 Court, give name of court

☐ this person/proceeding is transferred from another
 district per (circle one) FRCrP 20, 21 or 40. Show
 District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on
 motion of:

☐ U.S. Att'y ☐ Defense

☐ this prosecution relates to a
 pending case involving this same
 defendant

☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding
 this defendant were recorded under
SHOW
DOCKET NO.MAGISTRATE
CASE NO.

Name and Office of Person

Furnishing Information on
THIS FORM

MELINDA HAAG

☒ U.S. Att'y ☐ Other U.S. Agency

Name of Asst. U.S. Att'y

(if assigned)

RICHARD CHENG

 Name of District Court, and/or Judge/Magistrate Location
 NORTHERN DISTRICT OF CALIFORNIA

DEFENDANT - U.S.

PETER ALFRED-ADEKEYE

DISTRICT COURT NUMBER

CR11 00520

DEFENDANT

IS NOT IN CUSTODY

- 1) ☒ Has not been arrested, pending outcome this proceeding.
 If not detained give date any prior summons
 was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer
been filed?
☐ Yes
☐ No

 If "Yes"
 give date
 filed
DATE OF
ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

Month/Day/Year

DATE TRANSFERRED
TO U.S. CUSTODY
☐ This report amends AO 257 previously submitted

ADDITIONAL INFORMATION OR COMMENTS

PROCESS:

☐ SUMMONS ☐ NO PROCESS*

☒ WARRANT Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

 *Where defendant previously apprehended on complaint, no new summons
 or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments: